

Jephtha M. Israel, Robert B. Vance, Alfred B. Churn, and such other persons as may associate themselves with them for the purpose hereinafter mentioned, be, and they are hereby made a body politic and corporate, by the name and style of "Green Hill Cemetery," and by that name may sue and be sued, plead and be impleaded in all the courts of this State, contract and be contracted with, and may have a common seal.

Powers.

SEC. 2. *Be it further enacted*, That said corporation may acquire, take and hold a lot or tract of land, containing not more than twenty-five acres, for the purpose of establishing a burial-ground at or near the town of Ashville, in the county of Buncombe, and may sell or otherwise dispose of the same, or any part thereof, to be used exclusively as a cemetery, or place for the burial of the dead; and all moneys received for or on account of the sale of lots in the said cemetery, shall first be applied by said corporation to the payment of the purchase money of the land which it may acquire, and the residue thereof shall be expended in improving and embellishing such land, and in such other way and for such other purposes as said corporation may deem expedient; and said corporation may acquire such personal property as may be necessary to effectuate the purpose contemplated by this act.

Property exempt from taxation.

SEC. 3. *Be it further enacted*, That the real estate of said corporation, and the lots or plots, when conveyed by said corporation to individual proprietors, shall be exempt from assessment and taxation, and not liable to be sold under any execution, or to be applied to the payment of debts by assignment under any insolvent law.

Injury to property.

SEC. 4. *Be it further enacted*, That if any person shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument or grave-stone, or other structure placed in the cemetery aforesaid, or any fence, railing or other work for the protection or ornament of said cemetery, or of any tomb, monument or structure aforesaid, or of any cemetery lot within the cemetery aforesaid, or shall wilfully destroy, cut, break or impair any tree, shrub or plant within the limits of said cemetery, such person so offending shall be deemed and held guilty of a misdemeanor, and upon conviction thereof, shall be fined or imprisoned at the discretion of the court, and shall be moreover liable in an action of trespass which may be brought in the

Penalty.